

### **REMARKS**

This Amendment is in response to the Office Action mailed on June 14, 2010. Claims 1, 5, 7 and 8 are amended. Claim 1 is amended editorially and is supported, for example, in the specification at page 25, line 10-page 27, line 20 and in Figs. 7, 10 and 11. Claims 5, 7 and 8 are amended editorially. Claim 11 is new and is supported, for example, at page 26, lines 1-25 and in Figs. 10 and 11. No new matter is added. Claims 1, 5, 7-9 and 11 are pending.

#### **Examiner Interview:**

Applicants would like to thank Examiner Michael S. Osinski for conducting a personal interview with Applicants' representatives, Mr. Douglas P. Mueller, Ms. Fumiko Iwata and Mr. Daiji Ido on September 9, 2010. In the interview, Applicants' representatives provided proposed claim amendments to overcome the prior art rejections. The issues discussed in the interview are reflected in the arguments below.

#### **§103 Rejections:**

Claims 1, 5 and 9 are rejected as being unpatentable over Nonaka (US Patent No. 7,162,151) in view of Applicants Admitted Prior Art (AAPA) and in view of Kawahara (US Patent No. 7,095,001) and further in view of Yamasaki (US Publication No. 2003/0071905). Applicants traverse this rejection.

Claim 1 is directed to a multi-eye imaging apparatus that requires, among other features, that the first imaging system includes a shifter that changes a first relative positional relationship in a fixed change amount during a time-series image capture, and that the second imaging system has a second relative positional relationship that is fixed during the time-series image capture. Claim 1 also recites an optimal image selecting unit that selects a combination of image information from the plurality of frames of image information in the image memory, captured in the time series from the first imaging system and the second imaging system.

The combination of Nonaka, AAPA, Kawahara and Yamasaki does not teach or suggest these features. Nonaka teaches a camera that includes a main image pickup device 12 and a sub image pickup device 17 (see column 3, line 29-column 4, line 59 of

Nonaka). The sub image pickup device 17 is used to determine a shake amount value, which is used to control an actuator for shifting the main image pickup device 12 up to correct for the shake. However, nowhere does Nonaka teach or suggest selecting a combination of image information from in an image memory, captured in the time series from the main image pickup device 12 and the sub image pickup device 17.

AAPA teaches using a pixel shift to improve the resolution of an imaging apparatus using two captured images obtained from a single imaging system (see page 3, lines 9-26 and Figs. 20A-20C of the present application).

Kawahara and Yamasaki merely teach using shake information or the like to correct images so that the final image can be improved by having reduced blur or the like. Particularly, Kawahara teaches a blur correction unit 203 that compares two successive images from a single optical source to obtain the shake amount (see column 5, line 49-column 6, line 44 of Kawahara). Yamasaki teaches determining a deviation amount by comparing parallax images (see paragraphs [0080-0093] of Yamasaki).

Thus, nowhere does the combination of Nonaka, AAPA, Kawahara and Yamasaki teach or suggest an optimal image selecting unit that selects a combination of image information from the plurality of frames of image information in the image memory, captured in the time series from the first imaging system and the second imaging system, as recited in claim 1. For at least these reasons claim 1 is not suggested by the combination of Nonaka, AAPA, Kawahara and Yamasaki, and should be allowed. Claims 5 and 9 depend from claim 1 and should be allowed for at least the same reasons.

With respect to new claim 11, which requires that only a fixed change amount be used by the shifter of the first imaging system, Nonaka's actuator is used specifically to compensate for shake, which is a variable value. Even if the pixel shift of AAPA "could" be applied to Nonaka's actuator, a point which is not being conceded, the variable shake correction still would be applied to the actuator, and claim 11 is further removed from the reference.

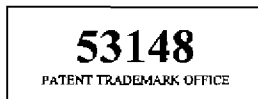
Claims 7 and 8 are rejected as being unpatentable over Nonaka in view of AAPA in view of Kawahara in view of Yamasaki and further in view of Nakazono (JP No. 2003-134385). This rejection is traversed. Claims 7 and 8 depend from claim 1 and

should be allowed for at least the same reasons described above. Applicants do not concede the correctness of this rejection.

Conclusion:

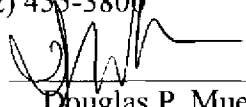
Applicants respectfully assert that the pending claims are in condition for allowance. If a telephone conference would be helpful in resolving any issues concerning this communication, please contact Applicants' primary attorney-of record, Douglas P. Mueller (Reg. No. 30,300), at (612) 455-3804.

Respectfully submitted,



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